

3. (Amended) The combination of claim 2, wherein said top seal is [a heat, pressure and dwell seal] formed by applying heat and pressure for a prescribed dwell period.

17. (Amended) In combination:

a) a flexible package, including

front and rear walls, said front and rear walls being laminated plastic walls including at least one inner sealable layer and at least one outer wall layer,

a bottom seal formed between lower sides of said front and rear walls;

a top seal formed between upper sides of said front and rear walls, said top seal including a seal between said inner sealable layers;

a zipper located within said package proximate said top seal, said zipper having a first zipper part having a first engagement member extending lengthwise along said zipper part and a widened base having at least two points of sealant behind said base;

said zipper also having a second zipper part having a second engagement member extending lengthwise along said zipper part and a widened base having at least two points of sealant behind said base;

said first engagement member being engaged with said second engagement member;

 said at least two points of sealant on said first zipper part being sealed to said inner layer of one of said front and rear walls [film at a first side of said vertical tube] and said at least two points of sealant on said second zipper part being sealed to said inner layer of the other of said front and rear walls [film at a second side of said vertical tube];

 said seal between said inner sealable layers being openable by de-lamination and said engagement between said engagement members of said zipper being disengaged upon the application of a predetermined pinch-grip pulling force; and

 b) food product stored within said package ~~between~~ said closed zipper and said bottom seal.

REMARKS

 Reconsideration and allowance in view of the foregoing amendments, the following remarks, and the Declaration under 37 C.F.R. § 1.131 filed herewith are respectfully requested.

 Claims 1-26 remain pending in this application.

 Claim 3 is objected to under 37 C.F.R. § 1.75(c). As explained in the specification at page 11, the term "heat/pressure/dwell formed" is defined as "encompassing seals that are made between two adjacent walls by applying heat and/or pressure for a given dwell period." Claims 2